



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार, 26 अक्तूबर, 1988/4 कार्तिक, 1910

हिमाचल प्रदेश सरकार

ELECTION DEPARTMENT

NOTIFICATION

Shimla-2, the 22nd September, 1988

No. 5-31/86-ELN.—In supersession of this Department Notification No.5-13/81-Elec., dated the 23rd December, 1983 and subsequent amendments notified thereto, the Governor, Himachal Pradesh, in exercise of the powers vested in him under the proviso to article 309 of the Constitution and in consultation with the Himachal Pradesh Public Service Commission, is pleased to frame afresh "Recruitment & Promotion Rules for the posts of Electoral Officer, Section Officer and Tehsildar (Elections), Class-II (Gazetted) 'respectively in the Election Department of Himachal Pradesh as per Annexure-I attached to this notification, as under :—

1. *Short title and commencement.*—(i) These rules may be called the "Himachal Pradesh Election Department Class-II (Gazetted) Services (Electoral Officer, Section Officer & Tehsildar (Elections) Recruitment and Promotion Rules, 1988."

(ii) These rules shall come into force from the date of their publication in the Himachal Pradesh Government Rajpatra.

ANNEXURE-I

RECRUITMENT AND PROMOTION RULES FOR THE POST OF ELECTORAL OFFICER (CLASS-II) IN THE DEPARTMENT OF ELECTION IN THE HIMACHAL PRADESH GOVERNMENT

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| 1. Name of the post | Electoral Officer. |
| 2. Number of posts | Two |
| 3. Classification | Class-II (Gazetted) |
| 4. Scale of pay | Rs. 825-1580 plus Rs. 100 S.p. (S.G)
Rs. 1200-1700 plus Rs. 100/-S.P. |
| 5. Whether selection or non-selection post | Selection |
| 6. Age for direct recruitment | N.A. |
| 7. Minimum educational and other qualifications required for direct recruitment. | N.A. } |
| 8. Whether age and educational qualification prescribed for direct recruits will apply in the case of promotees | Age } Not applicable.
E.Q. } |
| 9. Period of probation, if any | Two years subject to such further extension for a period of not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing.
100% by promotion. |
| 10. Method of recruitment whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods. | |
| 11. In case of recruitment by promotion, deputation/transfer, grades from which promotion/deputation/transfer is to be made. | By promotion from amongst Tehsildar (Elections) and Section Officer having at least three years regular or regular combined with <i>ad hoc</i> (rendered upto 31-12-1983) Service in the respective grades. (For purpose of promotion, a combined seniority list of eligible Tehsildar (Election) and Section Officer will be prepared on the basis of length of regular service in the respective grades). |
- Note 1.*—In all cases of promotion, *ad hoc* service rendered in the feeder post upto 31-12-1983, if any, prior to the regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition:—
- (a) that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* service rendered upto 31-12-1983) in the feeder post, in view of the provisions referred to above, all persons senior to him in the respective category post/cadre shall be deemed to be

eligible for consideration and placed above the junior persons in the field of consideration:

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment & Promotion Rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

(b) Similarly, in all cases of confirmation, *ad hoc* service rendered in the post upto 31-12-1983 if any, prior to the regular appointment against such post shall be taken into account towards the length of service:

Provided that the *inter-se*-seniority as a result of confirmation after taking into account *ad hoc* service shall remain unchanged.

(c) *Ad hoc* service rendered after 31-12-83 shall not be taken into account for confirmation/promotion purposes.

Note 2.—Provisions of Rules 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under Rule 2 are increased.

To be presided by the Chairman, Himachal Pradesh Public Service Commission or a Member thereto, to be nominated by him. As required under the Law.

12. If a Departmental Promotion Committee exists, what is its composition.

13. Circumstances under which the Himachal Pradesh Public Service Commission is to be consulted in making recruitment.

14. Essential Requirement for a direct recruit.

A Candidate for post appointment to any service or must be:—

- (a) A citizen of India, or
- (b) A subject of Nepal, or
- (c) A subject of Bhutan, or
- (d) A Tibetan refugee who crossed over to India before the 1st January, 1962 with the intention of permanently settling in India,

- (e) A person of Indian origin, who has migrated from Pakistan, Burma, Sri Lanka, East african countries of Kenya, Uganda, the United Republic of Tanzania (Formerly Tanganyika and Zanzibar), Zambia, Malwa, Zaire and Ethiopia with the intention of permanently settling in India.

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India.

15. Reservation

16. Power to relax

The appointment to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes other categories of persons issued by the Himachal Pradesh Government from time to time. Where the state Government is of the opinion that it is necessary or expedient so to do, it may by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission relax any of the provisions of these rules with respect to any class or category of persons or posts.

17. Departmental, Examination

- (1) Every member of the service shall pass a departmental examination as prescribed in the Departmental Examination Rules, 1976 as amended from time to time, failing which he shall not be eligible to:—
- (i) Cross the efficiency bar next due.
 - (ii) Confirmation in the service even after completion of probationary period, and
 - (iii) Promotion to the next higher post.

Provided that an officer who has qualified the departmental examination in whole or in part prescribed under any rules before the notification of these rules shall not be required to qualify the whole

or in part, of the examination as the case may be:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st March, 1976 shall not be required to qualify the departmental examination prescribed under these rules:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who had not attained the age of 45 years on 1-3-1976 shall not be required to qualify the departmental examination prescribed under these rules after attaining the age of 50 years for the purposes of (i) crossing the efficiency bar next due and (ii) confirmation in the service after completion of probationary period.

(2) An officer on promotion to the higher post in his direct line of promotion shall not be required to pass the aforesaid examination, if he has already passed the same in the lower gazetted post.

(3) The Government may in consultation with the Himachal Pradesh Public Service Commission, grant in exceptional circumstances and for the reasons to be reduced to writing, exemption in accordance with the Departmental Examination Rules, to any class or category of persons from the departmental examination in whole or in part provided the such officer is not likely to be considered for any other higher promotion before the date of his superannuation.

ANNEXURE—I

RECRUITMENT AND PROMOTION RULES FOR THE POST OF SECTION OFFICER (CLASS-II GAZETTED) IN THE DEPARTMENT OF ELECTION IN THE HIMACHAL PRADESH GOVERNMENT

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| 1. Name of the post. | Section officer |
| 2. Number of posts. | Two |
| 3. Classification. | Class-II (Gazetted) |
| 4. Scale of Pay. | Rs. 825-1580 plus Rs. 100 as S.P. |
| 5. Whether selection or non-selection post. | Non-selection |

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| 6. Age for direct recruitment. | Not applicable. |
| 7. Minimum educational and other qualification required for direct recruitment. | Not applicable. |
| 8. Whether age and educational qualification prescribed for direct recruits will apply in the case of promotees. | Age and Educational Qualification
Not applicable. |
| 9. Period of probation, if any. | Two years subject to such further extension for a period of not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing. |
| 10. Method of recruitment whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods. | 100% by promotion. |
| 11. In case of recruitment by promotion, deputation/transfer grades from which promotion/deputation/transfer is to be made. | By promotion from amongst Assistant (Hqr.) and Senior Scale Stenographer (Hqr.) with at least 5 years regular or regular (combined with <i>ad hoc</i> service rendered upto 31-12-83), service as Assistant/ Senior Scale Stenographer (Hqr.). |
- Note.*—In all cases of promotion, *ad hoc* service rendered in the feeder post upto 31-12-1983, if any, prior to the regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition
- (a) that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* service rendered upto 31-12-1983) in the feeder post, in view of the provisions referred to above, all persons senior to him in the respective category post/cadre shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:
- Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment & Promotion Rules for the post whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements

of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

- (b) Similarly, in all cases of confirmation, *ad hoc* service rendered in the post upto 31-12-1983 if any, prior to the regular appointment against such post shall be taken into account towards the length of service:

Provided that the *inter-se* seniority as a result of confirmation after taking into account *ad hoc* service shall remain unchanged.

- (c) *Ad hoc* service rendered after 31-12-83 shall not be taken into account for confirmation/promotion purposes.

Note 2.— Provisions of Rules 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under Rule 2 are increased.

12. If a Departmental Promotion Committee exists, what is its composition.

As may be constituted by the Government from time to time.

13. Circumstances under which the Himachal Pradesh Public Service Commission is to be consulted in making recruitment:

As required under the law.

14. Essential Requirement for a direct recruit:

- (a) A citizen of India, or
(b) A subject of Nepal or
(c) A subject of Bhutan, or
(d) a Tibetan refugee who crossed over to India before the 1st January, 1962 with the intention of permanently settling in India, or
(e) A person of Indian origin who has migrated from Pakistan, Burma, Sri-Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (Formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public

Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India.

15. Reservation:

The appointment to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes/Other categories of persons issued by the Himachal Pradesh Government from time to time.

16. Power to relax:

Where the State Government is of the opinion that it is necessary or expedient so to do, it may by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission relax any of the provisions of these rules with respect to any class or category of persons or posts.

17. Departmental Examination:

(1) Every member of the service shall pass a departmental examination as prescribed in the Departmental Examination Rules, 1976 as amended from time to time, failing which he shall not be eligible to :—

(i) Cross the efficiency bar next due,

(ii) Confirmation in the service even after completion of probationary period, and

(iii) Promotion to the next higher post:

Provided that an officer who has qualified the departmental examination in whole or in part prescribed under any rules before the notification of these rules, shall not be required to qualify the whole or in part, of the examination as the case may be:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who has attained the age of 45 years on the 1st March, 1976 shall not be required to qualify the departmental examination prescribed under these rules:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who had not attained the age of 45 years on 1-3-1976, shall not be required to qualify the departmental examination prescribed under these rules

after attaining the age of 50 years for the purposes of (i) Crossing the efficiency bar next due and (ii) confirmation in the service after completion of probationary period.

- (2) An officer on promotion to the higher post in his direct line of promotion shall not be required to pass the aforesaid examination if he has already passed the same in the lower gazetted post.
- (3) The Government may in consultation with the Himachal Pradesh public Service Commission, grant in exceptional circumstances and for the reasons to be reduced to writing, exemption in accordance with the Departmental Examination Rules, to any class or category of persons from the departmental examination in whole or in part provided the such officer is not likely to be considered for any other higher promotion before the date of his superannuation.

ANNEXURE-I

RECRUITMENT AND PROMOTION RULES FOR THE POST OF TEHSILDAR (ELECTION) GAZETTED (CLASS-II) IN THE DEPARTMENT OF ELECTION IN THE HIMACHAL PRADESH GOVERNMENT

1. Name of the post
2. Number of posts
3. Classification
4. Scale of pay.
5. Whether selection or non-selection post
6. Age for direct recruitment.

Tehsildar (Election).

Twelve (12).

Class-II (Gazetted)

Rs. 825-1580 (S.G.Rs. 1200-1700).

Selection.

N.A.

Provided that the upper age limits for direct recruits will not be applicable to the candidates already in service of the Government including those who have been appointed on *ad hoc* or on contract basis:

Provided further that if a candidate appointed on *ad hoc* basis and become overage on the date when he was appointed as such he shall not be eligible for any relaxation in the prescribed age limit by virtue of his such *ad hoc* or contract appointment:

Provided further that upper age limit is relaxable for Scheduled Castes/Scheduled Tribes/Other categories of persons

to the extent permissible under the general or special orders of the Himachal Pradesh Government:

Provided further that the employees of all the public sector corporations and autonomous bodies who happened to be Government servants before absorption in the Public Sector Corporation/Autonomous bodies, at the time of initial constitution of such Corporations/Autonomous bodies, shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the Public Sector Corporations/Autonomous bodies who were are subsequently appointed by such Corporations/Autonomous bodies after initial constitution of the public sector Corporations/Autonomous bodies.

Note-1.—Age limit for direct recruitment will be reckoned on the first day of the year in which the post (s) are advertised for inviting applications or notified to the Employment Exchanges, as the case may be.

Note-2 —Age and experience in the case of direct recruitment are relaxable at the discretion of the Himachal Pradesh Public Service Commission in case of the candidate is otherwise well qualified.

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| 7. Minimum educational and other qualifications required for direct recruitment. | N.A. |
| 8. Whether age and educational qualification prescribed for direct recruits will apply in the case of promotees. | Age and E.Q: N.A. |
| 9. Period of probation, if any | Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing. |
| 10. Method of recruitment whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods. | 100% by promotion. |
| 11. In case of recruitment by promotion, deputation/transfer grades from which promotion/deputation/transfer is to be made. | By promotion as under from the following categories
(a) 50% by promotion from amongst Assistants/Senior Scale Stenographers |

with 5 years continuous regular service or regular service combined with *ad hoc* service (rendered upto 31-12-83, if any) in the grades; and

- (b) 50% by promotion from amongst Naib-Tehsildars (Election) with 5 years continuous regular service combined with *ad hoc* service (rendered upto 31-12-1983, if any) in the grade; failing which by promotion from amongst Naib-Tehsildars (Election) Election Kanungos with 15 years continuous regular service or regular service combined with *ad hoc* (rendered upto 31-12-1983, if any) as Naib-Tehsildars (Election).

Election Kanungos; provided that Naib-Tehsildars (Election) will be placed *en bloc* above Election Kanungos."

- (a) that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* service rendered upto 31-12-1983) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category post/cadre shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment & Promotion Rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person (s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

- (b) Similarly, in all cases of confirmation, *ad hoc* service rendered in the post upto 31-12-1983 if any, prior to the regular appointment against such post shall be taken into account towards the length of service.

Provided that the *inter-se-seniority* as a result of confirmation after taking into account *ad hoc* service shall be rendered un-changed.

- (c) *Ad hoc* service rendered after 31-12-1983 shall not be taken into account for confirmation/promotion purposes

Note -2. —Provisions of Rules 10 and 11 are to be revised by the Government in consultation with the Commission as and when the number of posts under Rules 2 are increased.

As may be constituted by the Government from time to time to be prescribed by the Chairman, Himachal Pradesh Public Service Commission or a Member thereto be nominated by him.

As required under the Law.

12. If a Departmental Promotion Committee exists, what is its composition.

13. Circumstances under which the Himachal Pradesh Public Service Commission is to be consulted in making recruitment.

14. Essential Requirement for a direct recruit.

A candidate for appointment to Service or post must be:—

- (a) A citizen of India or,
- (b) A subject of Nepal, or
- (c) A Subject of Bhutan, or
- (d) A Tibetan refugee who crossed over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) A person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African countries of Kenya, Uganda, the United Republic of Tanzania (Formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India:

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India.

15. Selection for appointment to post by direct recruitment:

Selection for appointment to the post in the case of direct recruitment shall be made on the basis of *viva-voce* test, and if the Himachal Pradesh Public Service Commission or other recruiting authority, as the case may be, so consider necessary or expedient by a written test or a practical test, the standard/syllabus etc. of which, will be determined by the Commission/other recruiting authority as the case may be.

16. Reservation:

The appointment to this service shall be subject to orders regarding reservation in the services for Scheduled Castes/Scheduled Tribes/Backward Classes other categories of persons issued by the Himachal Pradesh Government from time to time.

17. Power to relax:

Where the State Government is of the opinion that it is necessary or expedient so to do, it may by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or post.

18. Departmental Examination:

(1) Every member of the service shall pass a departmental examination as prescribed in the Departmental Examination Rules, 1976 as amended from time to time, failing which he shall not be eligible to :—

- (i) Cross the efficiency bar next due,
- (ii) Confirmation in the service even after completion of probationary period, and

(iii) Promotion to the next higher post:

Provided that an officer who has qualified the departmental examination in whole or in part prescribed under any rules before the notification of these rules, shall not be required to qualify the whole or in part, of the examination as the case may be:

Provided further that an officer for whom no departmental examination was prescribed prior to the notification of these rules and who had not attained the age of 45 years on 1-3-1976, shall not be required to qualify the departmental examination prescribed under these rules, after attaining the age of 50 years for the

purposes of (i) Crossing the efficiency bar next due and (ii) confirmation in the service after completion of probationary period.

(2) An officer on promotion to the higher post in his direct line of promotion shall not be required to pass the aforesaid examination if he has already passed the same in the lower gazetted post.

(3) The Government may in consultation with the Himachal Pradesh, Public Service Commission, grant in exceptional circumstances and for the reasons to be reduced to writing, exemption in accordance with the Departmental Examination Rules to any class or category of persons from the departmental examination in whole or in part provided the such officer is not likely to be considered for any other higher promotion before the date of his superannuation.

ATTAR SINGH,
Secretary.

FOOD AND SUPPLIES DEPARTMENT

NOTIFICATION

Kullu, the 11th October, 1988

No. FDS-2(S)45/85-8428-84639.—In exercise of the powers conferred upon me, under clause 3(1)(e) of Himachal Pradesh Hoarding and Profiteering Prevention Order, 1977, I, S.S. Chandel District Magistrate Kullu, do hereby order that the rates of L.P.G. cylinders fixed vide Notification No. FDS-2(S)45/85-6179-6219, dated 4-8-1988 shall remain in force for a period of three months from the date of publication of the original Notification, in Himachal Pradesh Rajpatra.

S. S. CHANDEL,
District Magistrate, Kullu.